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C O N F I D E N T I A L SECTION 01 OF 02 SKOPJE 000760

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TAGS: [PGOV](#) [PREL](#) [MK](#)

SUBJECT: MACEDONIA: PROPOSED ELECTORAL CODE CHANGES STUCK
IN PARLIAMENT

REF: A. SKOPJE 730

[1](#)B. SKOPJE 736

Classified By: P/E CHIEF SHUBLER, REASONS 1.4(b) & (d)

SUMMARY

[1](#)1. (C) The GOM faces determined political resistance to its proposed electoral code amendments, which would guarantee an additional 10 seats for smaller ethnic minorities and three seats for the diaspora (ref A). The government proposal also has come under critical international scrutiny over the lack of a broad political consensus for the changes. Recognizing that a lengthy debate on the proposal will delay parliamentary action on other priority legislation, PM Gruevski is likely to withdraw the amendments and instead offer other inducements to the leaders of the smaller ethnic minority parties that would still ensure their support for the qualified majority (Badinter) votes he needs for certain key programs and legislation. End summary.

DUI FILIBUSTER COULD DELAY ACTION ON BILL UNTIL OCTOBER

[1](#)2. (U) The GOM continues to face staunch opposition to its proposal to amend the electoral code to guarantee 10 seats for smaller ethnic minorities, and three seats for the Macedonian diaspora (ref A). In a filibuster tactic common in Macedonia, the largest ethnic Albanian opposition party, DUI, continues to insist on parliamentary debate on the more than 4,000 amendments to the proposal it has submitted. That debate effectively will stall action on the bill until mid-October, according to government contacts. The largest opposition party, SDSM, has threatened to boycott any parliamentary session in which the proposal is debated, unless the governing coalition first seeks input and consensus from all political parties.

INTERNATIONAL CONCERNS OVER LACK OF CONSENSUS

[1](#)3. (U) In addition to DUI's delay tactics, the government is facing critical international scrutiny of its attempt to sidestep the opposition in pushing for the electoral changes. On September 12, the Council of Europe (CoE) chastised the government for attempting to adopt significant electoral code changes without broad political consensus. The CoE did not directly criticize the proposed changes, but urged the government to engage in dialogue with all political parties to reach broad consensus on the politically and ethnically

sensitive proposal.

¶4. (U) Local OSCE representatives have expressed concerns to the government about a number of proposed technical changes to the electoral code, unrelated to the guaranteed seats, which could violate international election standards. We also have raised with the Prime Minister's Chief of Staff our concerns over a proposed change that would re-politicize the composition of local election boards.

FURTHER DELAY

¶5. (U) The parliament was scheduled to discuss the proposed amendments on September 10, but the debate was delayed by the opposition's urgent call for a discussion of a security incident which had taken place earlier in the week (ref B). Looking for an alternative route to get the discussion underway, the governing coalition then announced, on September 13, that the debate on the electoral code amendments would be split into two phases.

¶6. (U) In the first phase of the debate, during which MPs are prevented by parliamentary rules from submitting amendments, the parliament would discuss whether the proposed changes are needed. In the second phase, the proposal would be returned to the government in order to take the MPs' comments -- both opposition and governing coalition -- into consideration. The proposal then could be amended, if the government deems necessary, and discussed anew.

¶7. (SBU) Comment: In our view, chances are slim that either DUI or SDSM would provide consensus-building suggestions that would allow for the government to pass the bill, since both parties are opposed in principle to what they view as a

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Gruevski maneuver to trade political favors with the minority parties for their votes on legislation requiring a qualified (Badinter) majority. In addition, SDSM knows that Gruevski's VMRO party likely would gain the most from traditionally conservative diaspora voters. End comment.

TACTICAL RETREAT

¶8. (C) The proposed two-phase approach, along with a number of obvious technical flaws in the proposed amendments, suggests PM Gruevski is looking for a face-saving way out of an impasse that could cost the government progress on other priority legislation. Since Gruevski's ulterior motive for proposing the changes was to win support from the smaller ethnic minority parties for the qualified majority (Badinter) votes he needs on some key legislation, he could withdraw the proposal and instead offer other inducements to those parties. As justification for such a move, he could cite the DUI filibuster and other potential roadblocks that could prevent passage of the bill, while promising to resurrect the proposal at some future date as long as the smaller parties stick to their pledge to vote with the government on legislation requiring a Badinter majority.

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